

EXHIBIT F

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

DOUGLAS I. HORNSBY,)
Administrator of the)
Estate of CYNTHIA GARY,)
Plaintiff,)
v.) NO. 2:22cv427
UNITED STATES OF AMERICA,)
et al.,)
Defendants.)

DEPOSITION UPON ORAL EXAMINATION OF

DEAN WILSON BUCKLEY

TAKEN ON BEHALF OF THE DEFENDANTS

Norfolk, Virginia

Thursday, January 16, 2025

Stenographically reported by:
Kerry Zahn, RMR-CRR

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1 A I was working for NASSCO Norfolk.

2 I was an area manager.

3 Q And was that the same job that you
4 had in March of 2021?

5 A Yes, ma'am.

6 Q All right.

7 Now, I want to be -- go way back in
8 time and get some background information and I
9 just want to ask if you could summarize your
10 educational background beginning with high school.

11 A High school. I went to Churchland
12 High School. I graduated from there in the year
13 1980.

14 I went to college at East Tennessee
15 State University on a football scholarship and
16 stayed there one year.

17 I left -- left there and got a job
18 at Newport News Shipbuilding and eventually -- it
19 was supposed to be a summertime job, but it turned
20 out to be a career.

21 But I spent the next 36 years at
22 Newport News Shipbuilding. I went through the
23 apprentice school there. Graduated as a
24 journeyman pipefitter.

25 And as far as education is

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1 answer.

2 Q Okay.

3 A No, ma'am.

4 Q All right. And so what would be
5 NASSCO's role? What was, you know, NASSCO's role
6 in the McFAUL? NASSCO must have obviously been
7 the lowest bidder with the best score, they get
8 the job.9 What is the job, start to finish,
10 from NASSCO's perspective?11 A Drydocking the ship. We would put
12 the ship in the drydock, pull the rudders off of
13 the ship, sometimes pulling the shafting out. I'm
14 not sure whether McFAUL had that underwater work
15 done or not. They would do preservation work on
16 the hull itself. May have changed out the -- the
17 shafting seal for the -- for the propeller shafts.18 It would come out of drydock after
19 that work was accomplished and then they would
20 finish the work that was required. They would
21 finish that on the pierside.22 Q Okay. And on the McFAUL then, as
23 the area manager, what role did you -- did you
24 play?

25 A I had a certain amount of work

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1 packages that were assigned to me.

2 Q And so what would be a "work
3 package"?

4 A It would be a certain amount of
5 work that is described in pretty good detail, and
6 the paperwork would come to me and, you know, I
7 would work the scope of the work just -- you know,
8 the work package is pretty much the scope of the
9 work and it's broken down into the individual work
10 packages depending on maybe a system to be worked
11 or an area to be paint abated and preserved, maybe
12 an inspection to be performed.

13 Q And then how would you go about, I
14 guess, making sure that the work required by that
15 work package was actually done?

16 A Well, I would -- I would get with
17 the trades that were -- were assigned to perform
18 the work and make sure that they were, you know,
19 prepared to do the work as far as having the right
20 tools and equipment, manning, and would make sure
21 that they, you know, pretty much knew what the,
22 you know, the scope of the work was. And then I
23 would, you know, go on the ship and see the work,
24 you know, as -- as it was progressing.

25 Q Okay. And so how would that work

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1 Q Got it.

2 Just looking at the document, so as
3 the area manager, you know, did you handle these
4 documents --

5 A No, ma'am.

6 Q -- or look at them ever?

7 A No, ma'am.

8 Q Okay.

9 A The -- the contractor would fill
10 the form out as a request. They would take the
11 form and hand it to the Navy. The Navy is the
12 authorizing entity here. They would authorize the
13 hot work permit and coordinate whether there was
14 hot work in the area or whether there was cold
15 work in the area. And you can't mix the two in
16 the same area. Okay?

17 But the entity that's authorizing
18 hot work is the Navy.

19 Q Okay. But the party completing and
20 submitting this form would have been who?

21 A It would been the contractor
22 working the job.

23 Q Okay.

24 A Actually, the -- to get right down
25 to the nuts and bolts, the actual supervisor of

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1 Q Would you instruct the people who
2 were doing the work --

3 A No, sir.

4 Q -- or direct the actual work?

5 A No, sir.

6 Q So when you're doing a
7 walk-through, you're measuring the progress of the
8 work?

9 A That's pretty much all, yes, sir.

10 Q Okay. Are you familiar with
11 tagouts on board a Navy ship?

12 A I am.

13 Q Have you ever participated in
14 tagging out equipment on a ship like the McFAUL?

15 A During -- during an overhaul, the
16 Navy owns the equipment, they own the components,
17 and they are the responsible party.

18 We're not allowed to -- to touch
19 any components or reposition any switches or any
20 valves. We're not allowed to do that. We
21 don't -- we have no ownership over -- over the
22 ship's equipment.

23 Q So as the area manager for NASSCO,
24 do you have any role in the -- or did you have any
25 role in the tagout progress?

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1 A No, sir.

2 Q As you're doing the walk-throughs
3 as part of your work as area manager, do you check
4 whether tagouts have been completed?

5 A No, sir.

6 Q Who would be the person who does
7 that?

8 A The -- normally the WAF is
9 requested. They go to the -- to the WAF
10 coordinator. The WAF coordinator interfaces with
11 the Navy.

12 The Navy is responsible for putting
13 the ship in a safe working condition, the ship's
14 systems in a safe working condition, and putting
15 proper tags on the components or on the equipment,
16 and then they -- they have a tagout that they --
17 that they go by, and it's -- they sign it that the
18 tag is hung and the component is in the right
19 position, and then they have a -- a second checker
20 that comes behind them, independent, to verify
21 that the tagout and all the tags are hung
22 properly, the components are in the correct
23 position, and then the WAF comes back to the -- to
24 the WAF office, and then the WAF gets issued and
25 gets authorized and issued to the trades to do

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1 their work.

2 Q All right. We also talked about
3 firewatch.

4 As area manager, do you have -- do
5 you have a role in placing the firewatch for work?

6 A No, sir.

7 Q Is that something you do on a
8 walk-through is to check that firewatches are in
9 place?

10 A Typically, no.

11 You know, typically, the -- the
12 firewatchers are responsible for -- for letting
13 the hot work operator know when they need to take
14 a break, when they have to go to the restroom.
15 They tap on the bulkhead. You know, there's
16 certain signals that they -- that they coordinate
17 with each other ahead of time before the hot work
18 begins. They will converse with each other. And
19 if the hot work -- if the hot -- if the firewatch
20 is not there, the hot work operator should know
21 that.

22 So these are not things that
23 typically an area manager would look for.

24 The exception to the rule would be
25 if there's hot work going on, you see the hot work

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1 that question --

2 Q Okay.

3 Well, then let --

4 A -- because, you know, the tagouts
5 are not requested to the Navy.

6 Q All right. Let me --

7 A The WAF is a request to the Navy
8 and the Navy is responsible for tagging the
9 correct components.

10 Q Okay, all right. I understand what
11 you're saying.

12 If a tagout is needed for a WAF
13 authorization, what entity is responsible for
14 physically making sure whatever's needed to be
15 tagged out is tagged out?

16 A That would be the Navy.

17 Q Okay. Does NASSCO Norfolk or the
18 subcontractors, do they have any role in
19 physically making sure it's tagged out?

20 A No, sir.

21 Q And in your experience with these
22 tagouts, what is the Navy supposed to ensure in --
23 in tagging it out?

24 A That the -- number one, that they
25 are tagging the correct component.

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1 Q Right.

2 A That's number one.

3 Number two, that the component is
4 positioned correctly according to what the tagout
5 says.

6 It might say that the valve needs
7 to be shut.

8 They would ensure that the valve
9 was shut. Then they would hang the tag on the
10 valve, indicating that the valve has been verified
11 shut and now there's a danger tag indicating
12 that -- that no one is to operate.

13 Q All right. In tagging out a piece
14 of equipment, does the Navy -- is the Navy
15 supposed to do it in the safest way possible?

16 A Absolutely, yeah.

17 Q In your experience, do the
18 subcontractors or whoever is working on that WAF
19 and requesting that tagout have to rely on the
20 Navy to make sure that it is tagged out in the
21 safest way possible?

22 A Well, there again, requesting the
23 tagout is not done by the -- by the repair
24 activity.

25 The request for the work to be

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1 think you -- I think that this came out earlier.

2 Are you aware that there was a
3 tagout requested or there was a -- there was a WAF
4 submitted and that the blow-in door was tagged out
5 in order to do repair work, gasket work on the
6 blow-in door? Are you aware of that?

7 A Well, yes, I am.

8 Q I mean, at this point are you
9 aware?

10 A At this point I'm certainly aware
11 of it, yeah.

12 Q Okay. I'll --

13 THE WITNESS: Bless you.

14 MS. EATON: Thank you.

15 BY MR. BRUGH:

16 Q I will let you know that the WAF
17 that was submitted for the blow-in door gasket
18 work was submitted and authorized at the very end
19 of January 2021, right, I think it was
20 January 29th or somewhere around in there. Okay?

21 A Okay.

22 Q The accident happened on
23 March 15th, 2021.

24 That tagout was in place for that
25 period of time, which is roughly six weeks or so.

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1 It is -- is it unusual for a piece
2 of equipment to be tagged out for that length of
3 time?

4 A Absolutely.

5 Q It's unusual?

6 A Oh, no, it's not unusual. Sorry.
7 No.

8 Q It's --

9 A It is not unusual for -- for tags
10 to be hung on components for -- for the entire
11 length of the availability.

12 Q It's --

13 A So...

14 Q It's standard in the industry that
15 a tagout could be on a piece of equipment for
16 weeks, if not months, or even, you're saying,
17 potentially a year or...

18 A Yes, sir.

19 Q Okay.

20 A That's a correct statement.

21 Q If -- these morning meetings that
22 you all would have that's related to Buckley
23 Number 1 --

24 A Yes, sir.

25 Q -- who would be present at these

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1 meetings?

2 A Okay.

3 Q And I'm talking about -- I don't
4 need to know the individual people --

5 A No, that's okay.

6 Q -- but in terms of the entities and
7 maybe some of the positions, the titles of those
8 people.

9 A Okay.

10 Area managers, we were all required
11 to go to these meetings.12 So in this case, Bruce Smith, Dean
13 Buckley, Rodney Johnson, Sirron Ringer, Cody
14 Sanders would be there. He would be pretty much
15 conducting, like the emcee of a meeting and Bruce
16 Smith would be there.17 The top brass of the ship would be
18 there, the commanding officer, executive officer,
19 chief engineer, department heads through the ship.20 It was a pretty big meeting and a
21 lot of people were there every -- every day.22 Q And the Navy personnel that would
23 be there, who would those folks be?24 A The commanding officer, the
25 executive officer, chief engineer, the -- the fire

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1 warden of the ship would be there or he was like
2 the damage control chief. He could even be a
3 first lieutenant.

4 Most of the chiefs assigned to the
5 McFAUL would be in that meeting or they would send
6 a representative from -- from their division to be
7 at this meeting.

8 Q Okay.

9 A Pretty much everybody that -- that
10 has anything to do with anything on the boat
11 would -- would be at that meeting.

12 Q Do you recall if at any time from
13 late January of 2021 through middle of March 2021,
14 did anyone ever complain or bring up any issue
15 with the length of time that the tagout was on
16 the -- any blow-in doors?

17 A I had no complaints from the --
18 from the Navy that this particular job or any
19 other blow-in door job was -- was taking too long,
20 no, sir.

21 Q If it had, would those be reflected
22 in the comments section?

23 If you had received a complaint
24 about any particular job, would you put that in
25 your comments section?